

**Proposed Modification to Council Policy 600-23 Regarding the Vacation  
Of City Open Space**

SUBJECT: OPEN SPACE PRESERVATION AND MAINTENANCE  
POLICY NO.: 600-23  
EFFECTIVE DATE: December 11, 1984

*(The following would replace Policy 1. Retention of City-owned Lands)*

**POLICY:**

It is the goal of the City to preserve open space. This maybe accomplished by: (1) Retention of City-owned lands; (2) Acquisition of fee title; (3) Acquisition of easements.

1. Retention of ~~City-owned Lands~~ Open Space

~~City owned properties identified as Designated Open Space shall be retained in City ownership for Open Space purposes.~~

~~City owned properties identified as Sensitive Lands or that satisfy the definition of Non-Designated Open Space should also be retained in City ownership fir Open Space purposes, but if sold, they should be encumbered by an Open Space easement.~~

a) Dedicated Lands

All lands Dedicated as Open Space pursuant to Section 55 of the City Charter shall be retained as Open Space.

b) Designated and Non-Designated Lands

Designated and Non-Designated Open Space, in which the City holds an interest (e.g. fee title, conservation easement), shall be retained unless upon subsequent review the property is determined to be of marginal use for biological resources or public use. Open Space properties that are determined to be of marginal use may be vacated, for sale or leased, for purposes other than open space if the following criteria can be met and the transaction is consistent with other existing Council Policies and Municipal Code requirements.

Criteria for Vacating Designated and Non-Designated Open Space:

- The vacation will not jeopardize the City s Multiple Species Conservation Plan (MSCP).

- The vacation will not significantly impact public open space use, visual quality or community character,
- The area to be vacated must be served by existing infrastructure and will not require additional infrastructure that would further impact biological or recreational resources,
- Any habitat loss associated with the vacation will be replaced through mitigation which will contribute to an equal or greater biological value,
- Any proceeds generated from the vacation will be placed into the Habitat Acquisition Fund for purchase of other Open Space properties, and
- The vacation will result in an overriding public benefit as reviewed and approved by City Council.